

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

NANCY KAY SHEDLESKI,

Defendant(s).

Case No. 2:22-CR-92 JCM (EJY)

ORDER

Presently before the court is defendant Nancy Kay Shedleski (“defendant”)’s motion for leave to file her sentencing memorandum under seal. (ECF No. 43).

Defendant seeks leave to seal her sentencing memorandum because it provides medical information regarding her mental and physical health diagnoses and treatment plans. (*Id.* at 2). Specifically, defendant argues that disclosure of the facts and nature of the information in these records are protected by the Health Insurance Portability and Accountability Act. (*Id.*).

The court finds that good cause exists, as unsealing the sentencing memorandum would cause defendant harm. *See Demaree v. Pederson*, 887 F.3d 870, 884 (9th Cir. 2018); *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006).

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1 Pursuant to Local Rule 10-5 and Federal Rule of Criminal Procedure 49.1(d), this court
2 grants defendant's motion.

3 Accordingly,

4 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant Nancy
5 Shedleski's motion for leave to file her sentencing memorandum under seal (ECF No. 43) be, and
6 the same hereby is, GRANTED.
7

8 The clerk is instructed to maintain defendant's sentencing memorandum under seal.

9 Presently before the court is defendant Nancy Kay Shedleski ("defendant")'s motion for
10 leave to file her sentencing memorandum under seal. (ECF No. 43).
11

12 Defendant seeks leave to seal her sentencing memorandum because it provides medical
13 information regarding her mental and physical health diagnoses and treatment plans. (*Id.* at 2).
14 Specifically, defendant argues that disclosure of the facts and nature of the information in these
15 records are protected by the Health Insurance Portability and Accountability Act. (*Id.*).
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17 The court finds that good cause exists, as unsealing the sentencing memorandum would
18 cause defendant harm. *See Demaree v. Pederson*, 887 F.3d 870, 884 (9th Cir. 2018); *Kamakana*
19 *v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006).

20 Pursuant to Local Rule 10-5 and Federal Rule of Criminal Procedure 49.1(d), this court
21 grants defendant's motion.

22 Accordingly,

23 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant Nancy
24 Shedleski's motion for leave to file her sentencing memorandum under seal (ECF No. 43) be, and
25 the same hereby is, GRANTED.
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27 ...
28

1 The clerk is instructed to maintain defendant's sentencing memorandum under seal.

2 DATED January 11, 2024.

3 
4 UNITED STATES DISTRICT JUDGE